

**IN THE CIRCUIT COURT FOR THE CITY OF ST. LOUIS, MISSOURI**  
**22<sup>nd</sup> JUDICIAL CIRCUIT**

STATE OF MISSOURI

**Plaintiff,**

**V.**

**LAMAR JOHNSON,**

**Defendant.**

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

**No. 22941-03706A-01**

**DEFENDANT’S MOTION TO JOIN AND ADOPT BY REFERENCE  
THE STATE’S MOTION FOR A NEW TRIAL BASED ON NEWLY  
DISCOVERED EVIDENCE OF INNOCENCE, PERJURY, AND FALSE  
TESTIMONY AND MISCONDUCT SO PREJUDICIAL THAT THE  
OUTCOME OF THE TRIAL IS UNRELIABLE, OR IN THE  
ALTERNATIVE, MOTION FOR A HEARING ON THE NEWLY  
DISCOVERED EVIDENCE**

Comes now, Lamar Johnson, through counsel, and moves to join and adopt by reference the *State's Motion For New Trial Based On Newly Discovered Evidence Of Innocence, Perjury, And False Testimony And Misconduct So Prejudicial That The Outcome Of The Trial Is Unreliable, Or In The Alternative, Motion For A Hearing On The Newly Discovered Evidence*. In support of his motion, Mr. Johnson states:

1. Mr. Johnson has reviewed the State's motion;

2. Mr. Johnson moves to adopt by reference pursuant to Missouri Supreme Court Rule 55.12<sup>1</sup> the State's Motion as follows;

- a. Adopt by reference Statement of Facts, Paragraphs 1-85, as a factual accounting of the police investigation and trial evidence in *State v. Johnson*, Case No. 22941-03706A-01;
- b. Adopt by reference Post-Trial Investigation, Paragraphs 86-186;
- c. Adopt by reference Ground I, Paragraphs 187-220;
- d. Adopt by reference Ground II, Paragraphs 221-240;
- e. Adopt by reference Ground III, Paragraphs 241-259;
- f. Adopt by reference Ground IV, Paragraphs 260-279;
- g. Adopt by reference the Conclusion, Paragraphs 280-281; and,
- h. Adopt by reference all exhibits filed in support of the motion, Exhibits 1-43.

Respectfully Submitted,

/s/ Lindsay J. Runnels  
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<sup>1</sup>"Statements in a pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. An exhibit to a pleading is a part thereof for all purposes."

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### **CERTIFICATE OF SERVICE**

I hereby certify that it is my belief and understanding that counsel for plaintiff are participants in the Court's e-filing program and that separate service of the foregoing document is not required beyond the Notification of Electronic Filing to be forwarded on July 18, 2019 upon the filing of the foregoing document.

/s/ Lindsay J. Runnels

Lindsay J. Runnels